



11-20-00

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PTO/SB/64 (7-99)

Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)

Cell 4.20 CIP2

First named inventor: Jakobovits, et al.

Application No.: 09/187,693

Group Art Unit: 1644

Filed: November 5, 1998

Examiner: Saoud, C.

Title: Human Monoclonal Antibodies to Epidermal Growth Factor Receptor

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application because abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional/

1. Petition fee

- ☐ Small entity – fee \$ ____ (37 CFR 1.17(m))
☐ Small entity statement enclosed herewith.
☐ Small entity statement previously filed.
☒ Other than small entity – fee \$ 1,210.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above noted Office action in the form of
Preliminary Amendment and Sequence Listing (identify type of reply):

- ☐ has been filed previously on
☒ is enclosed herewith.

B. The issue fee of \$ ____

- ☐ has been paid previously on
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ ____ for a small entity or \$ ____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

11/17/2000
Date

Abgenix, Inc.
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CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service via "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to the Assistant Commissioner for Patents, Washington D.C. 20231

Date: 11-17-00 Signature: Christina M. Kenney

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